

**REMARKS**

Applicants propose to amend claim 8 to more appropriately define the claimed subject matter. Support for the proposed amendment is found in Applicants' specification at, for example, paragraph [030]. Claims 2, 4, and 8-11 are pending in this application.

**§ 102(b) Rejection of Claims 2, 4, and 8-11 as anticipated by Mar et al.**

The Examiner rejected claims 2, 4, and 8-11 under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 6,191,660 to Mar et al. ("*Mar et al.*"). Applicants respectfully traverse this rejection because *Mar et al.* fails to anticipate these claims.

To properly anticipate Applicants' claims under 35 U.S.C. § 102(b), each and every element as set forth in each claim must be found, either expressly or inherently described, in a single prior art reference. M.P.E.P. § 2131. *Mar et al.* fails to anticipate claims 2, 4, and 8-11 because *Mar et al.* does not teach each and every element recited in amended independent claim 8, from which claims 2, 4, and 9-11 depend.

Claims 2, 4, and 8-11 are not anticipated by *Mar et al.* for at least the reason that *Mar et al.* fails to disclose a **"circuit for providing a refresh cycle for a memory device"** comprising, inter alia, **"a first current generator providing a first current in response to a constant voltage, the first current being substantially temperature-independent,"** as recited in amended claim 8.

*Mar et al.* teaches a "programmable oscillator configured to generate a stable frequency reference" (Field of the Invention). "Referring to FIG. 4, ... [t]he circuit 100 generally comprises a current source 102, a current multiplying digital to analog

converter (DAC) 104, a trim block (or circuit) 106, a bandgap voltage generator 108 and a current controlled oscillator (ICO) 110” (col. 2, lines 57-63). “Referring to FIG. 6, ... [t]he current generator 102 generally sums a proportional to absolute temperature (PTAT) current from a bandgap bias generator with a negative temperature coefficient current generated by forcing the negative temperature coefficient (e.g., VDIODE) across the resistor 198” (col. 4, lines 7-22).

However, the bandgap bias generator of *Mar et al.* does not constitute a “first current generator providing a first current, ... the first current being substantially temperature-independent,” as required by claim 8. *Mar et al.* teaches that the bandgap bias generator produces “a proportional to absolute temperature (PTAT) current” (col. 4, lines 18-19; emphasis added). A current whose strength is proportional to temperature does not constitute a current that is “substantially temperature-independent” as required by claim 8 (emphasis added). Thus, *Mar et al.* fails to teach “a first current generator providing a first current, the first current being substantially temperature-independent, in response to a constant voltage,” as recited in claim 8.

Since *Mar et al.* fails to teach each and every element of claim 8, claim 8 and claims 2, 4, and 9-11, which depend therefrom, are not anticipated by *Mar et al.* under 35 U.S.C. § 102(b).

### **CONCLUSION**

Applicants respectfully request that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing claims 2, 4, and 9-11 in condition for allowance. Applicants submit that the proposed amendments of claims 2, 4, and 9-11 do not raise

new issues or necessitate the undertaking of any additional search of the art by the Examiner, since all of the elements and their relationships claimed were either earlier claimed or inherent in the claims as examined. Therefore, this Amendment should allow for immediate action by the Examiner.

Finally, Applicants submit that the entry of the amendment would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims.


In view of the foregoing remarks, Applicants submit that this claimed invention, as amended, is neither anticipated nor rendered obvious in view of the prior art references cited against this application. Applicants therefore request the entry of this Amendment, the Examiner's reconsideration and reexamination of the application, and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account No. 06-0916.

Respectfully submitted,

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